

SECOND SUPPLEMENTAL INTERLOCAL CONTRACT

ANN ROAD DETENTION BASIN FACILITIES (CAM 10 DETENTION BASIN)

THIS SECOND SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 11th day of January, 2007 by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT" and the CITY OF LAS VEGAS, hereinafter referred to as "CITY".

WITNESSETH

WHEREAS, pursuant to Chapter 543 of the Nevada Revised Statutes, the DISTRICT may approve a project to design and construct flood control improvements; and

WHEREAS, the project is identified in the 1997 Master Plan Update of the Las Vegas Valley as GONO 0589 hereinafter referred to as the "PROJECT"; and

WHEREAS, the flood control improvements proposed herein are the same as those generally identified in the 2002 Master Plan Update as GOAN 0000 thru 0065 hereinafter referred to as PROJECT; and

WHEREAS, the PROJECT is identified and shown on the attached Exhibit "A"; and

WHEREAS, the PROJECT has been approved by the DISTRICT on its annual Ten Year Construction Program; and

WHEREAS, the PROJECT has regional flood control significance and is located in the same hydrographic area as the Las Vegas Valley; and

WHEREAS, the CITY wishes to extend the date of completion.

NOW, THEREFORE, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following:

SECTION III – GENERAL paragraphs 10 and 15 shall be revised to read as follows:

10. The DISTRICT will pay the CITY, or make payment directly to its contractor or its consultant, each month for project costs as outlined in SECTION II - PROJECT COSTS. Invoices must identify and allocate all costs to the categories noted below:
 - a. Right-of-Way acquisition including appraisals, title and escrow, negotiations, legal fees, recording fees, etc.

- b. Predesign Engineering (all work prior to design, excluding right-of-way)
 - c. Design Engineering
 - d. Construction Engineering
 - e. Construction (all work after award of construction contract)
 - f. Environmental: costs incurred by the Lead Entity for the preparation of environmental documentation applicable to the project and costs incurred for the implementation of mitigation measures provided in an environmental document (e.g., EIS OR EA)
 - g. Other including landscaping, flood insurance rate map amendments or revisions, etc.
15. The items covered in SECTION II - PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to December 31, 2008. The DISTRICT may, at any time thereafter, grant extensions or terminate this Contract after thirty (30) days notice

The remainder of the Interlocal Contract dated January 13, 2005 and the Supplemental Interlocal Contract dated October 13, 2005 shall remain unchanged.

Ann Road DB Facilities (CAM 10 DB) 2 s IC LAS10X05

IN WITNESS WHEREOF, this Second Supplemental Interlocal Contract is hereby executed as of the date first set forth above.

Date of District Action:

REGIONAL FLOOD CONTROL DISTRICT

ATTEST:

January 11, 2007
Carolyn Frazier
CAROLYN FRAZIER, Secretary to the Board

BY: Lawrence L. Brown, III
LAWRENCE L. BROWN, III, Chairman

Approved as to Form:

BY: Christopher Figgins
CHRISTOPHER FIGGINS
Chief Deputy District Attorney

Date of Council Action:

CITY OF LAS VEGAS

ATTEST:

January 17, 2007

BY: Oscar B. Goodman
OSCAR B. GOODMAN, Mayor

Beverly K. Bridges

By: **Beverly K. Bridges, CMC**
Acting City Clerk

APPROVED AS TO FORM

Thomas R. Green 2/9/07
Thomas R. Green Date
Deputy City Attorney

LVMD3315

LVMD3316



GRIN

BA

CORP LIMIT

SHAUMBER

ROME

CENTENNIAL

GOAN 0065

GOAN0000

GALILEO

ROCKETMAN

ALPINE RIDGE

TROPICAL

GOAN0061

Proposed Ann Road
Detention Basin

Exhibit A
Ann Road Detention Basin and
Diversion Channel